



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,732	11/29/2000	Peter Joseph Giacomini	Broadspider I	9621

22897 7590 03/04/2004

DEMONT & BREYER, LLC
SUITE 250
100 COMMONS WAY
HOLMDEL, NJ 07733

EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
----------	--------------

2142

5

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/725,732

Applicant(s)

GIACOMINI ET AL.

Examiner

Thong H Vu

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-22 are pending.

The copending application "Method and Apparatus for Economical Cache Population" serial number 09/725,737 has been recorded.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6,8-13,15-22 are rejected under 35 U.S.C. § 102(e) as being anticipated by Scheussler et al [Scheussler, 6,366,950 B1]

3. As per claim 1, Scheussler discloses a method comprising:

hashing at a first processor a first resource identifier to create a hash key,
wherein said first resource identifier identifies a first resource [Scheussler, a first client or first computer with a first hashed ID, col 4-63];

transmitting from said first processor to a second processor said hash key and a request for said first resource [Scheussler, a hash key with request, col 11 lines 4-63];

receiving at said first processor a second resource in response to the transmission of said hash key and said request for said first resource [Scheussler, the computer 22 receives a message and displays the active state of computer 20, col 11 line 64-col 12 line 2].

Art Unit: 2142

4. As per claims 2,9 Scheussler discloses receiving at said first processor a second resource identifier in response to the transmission of said hash key and said request for said first resource [Scheussler, the computer 22 receives a message and displays the active state of computer 20, col 11 line 4-col 12 line 2].

5. As per claims 3,10 Scheussler discloses said first processor verifies (i.e.: compare) that said second resource is said first resource by comparing said second resource identifier to said first resource identifier [Scheussler, the computer 22 receives a message and displays the active state of computer 20, col 11 line 4-col 12 line 2].

6. As per claims 4,11 Scheussler discloses transmitting from said first processor to said second processor said first resource identifier in addition to said hash key and said request for said first resource [Scheussler, the computer 22 receives a message and displays the active state of computer 20, col 11 line 4-col 12 line 2].

7. As per claims 5,12 Scheussler discloses said second processor stores said second resource and said second resource identifier in a data structure that is indexed (i.e.: record in database) by said hash key [Scheussler, col 10 lines 12-23].

8. As per claims 6,13 Scheussler discloses said second processor verifies that said second resource is said first resource by comparing said second resource identifier to

said first resource identifier [Scheussler, the computer 22 receives a message and displays the active state of computer 20, col 11 line 4-col 12 line 2].

9. As per claim 8, Scheussler discloses an apparatus comprising:

a first processor for hashing a first resource identifier to create a hash key, wherein said first resource identifier identifies a first resource [Scheussler, a first client or first computer with a first hashed ID, col 4-63];

a transmitter (i.e.: source) for transmitting said hash key and a request for said first resource to a second processor [Scheussler, server receives the first hashed ID from client, col 11 lines 4-63]; and

a receiver (i.e.: destination) for receiving a second resource in response to the transmission of said hash key and said request for said first resource [Scheussler, the computer 22 receives a message and displays the active state of computer 20, col 11 lines 64-col 12 line 2] .

10. Claims 15,17,19,21 contain the similar limitations set forth of method claim 1. Therefore, claims 15,17,19,21 are rejected for the similar rationale set forth in claim 1.

11. Claims 16,18,20,22 contain the similar limitations set forth of apparatus claim 8. Therefore, claims 16,18,20,22 are rejected for the similar rationale set forth in claim 8.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 7,14 are rejected under 35 U.S.C. § 103 as being unpatentable over Scheussler et al [Scheussler, 6,366,950 B1] in view of Haber et al [Haber, 5,781,629]

As per claims 7,14 Scheussler discloses said hash key and said request for said first resource are transmitted from said first processor to said second processor. However Scheussler does not detail the request with said all (or a portion) of said hash key is contained in a list of valid hash keys associated with said first processor.

A skilled artisan would have motivation to implement the certified service and found Haber teaching. Haber discloses a digital document authentication system wherein a list of hash values and their associated locations values can be obtained from an authentication certificate process [Haber, col 6 line 59-col 7 line 19].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the hash list as taught by Haber into the Scheussler apparatus in order to utilize the value key database. Doing so would improve security and confidentiality for personal and financial transactions via Internet.

Art Unit: 2142

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Thong Vu
Patent Examiner
Art Unit 2142

